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PATENT

0649-0815P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

KAMO. H.

10/018,753

Filed:

December 21, 2001

For:

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Examiner: UNASSIGNS

APP 26 2002 INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 53 (d) CPA APPLICATION

OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents Washington, DC 20231

January 18, 2002

Sir.

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

Τ. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- \boxtimes Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. DOCUMENTS IN THE ENGLISH LANGUAGE

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

Japanese patent documents 10-114857, 2000-191769, 9-137056, 7-508550, 6-322258 and 5-86228 are each cited in the International Search Report previously submitted on December 21, 2001.

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. OTHER

The following additional information is provided for the Examiner's consideration.

FEES

| IV. | \boxtimes | CK one box) | | | | | | | | |
|-----|--|--------------|---|--|--|--|--|--|--|--|
| | a. | \boxtimes | within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's). | | | | | | | |
| | b. | | within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required. | | | | | | | |
| | c. | | concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required. | | | | | | | |
| | d. | | before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p). | | | | | | | |
| ٧. | | THIS (che | IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c): ck one box) | | | | | | | |
| | before the mailing date of a Final Office Action under C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before t mailing date of a Notice of Allowance under 37 C.F. § 1.311 (See 37 C.F.R. § 1.97(c)(2)). | | | | | | | | | |
| | a. | | No statement; therefore, a fee in the amount of $\$180.00$ as required by 37 C.F.R. $\$1.17(p)$. | | | | | | | |
| | b. | | See the statement below. No fee is required. | | | | | | | |

| | | | Appr. No. 10/010,/33 | | | | |
|------|--|--------------|---|--|--|--|--|
| VI. | STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box) | | | | | | |
| | The undersigned hereby states that | | | | | | |
| | a. | | each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or | | | | |
| | b. | | no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS. | | | | |
| | с. | | Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. | | | | |
| VII. | PAYM | ENT O | F FEES (check one box) | | | | |
| | | | neck in the amount of \$180.00 as required by 37 R. § 1.17(p) is enclosed for the above-identified | | | | |
| | | amou indi | se charge Deposit Account No. 02-2448 in the nt required by 37 C.F.R. § 1.17(p) for the above- cated fee. A triplicate copy of this paper is ched. | | | | |
| | \boxtimes | No f | ee is required. | | | | |

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filled under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

John W. Bailey, #32,88

#.O. Box 747 Falls Church, VA 22040-0747

(703) 205-8000

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□ Documents

☐ Foreign Search Report

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Other:

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| | (Use several sheets if nece | JAN 1 8 2002 S | December 21, 2001 | | UNASSIGNED | |
| | | S. PATENT | OCUMENTS | | | |
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE OF | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIAT |
| | 5,278,254 | 1994-01-11 | Furuta et al. | 1 | | |
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| | | FOREIGN PATENT | DOCUMENTS | | | |
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB | TRANSLATION YES NO |
| | 10-114857 | 1998-05-06 | JAPAN | | <u> </u> | |
| | 2000-191769 | 2000-07-11 | JAPAN | 1 | | |
| | 9-137056 | 1997-05-27 | JAPAN | | | |
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| | 5-86228 | 1993-04-06 | JAPAN | | | |
| | WO 99/02607 | 1999-01-21 | PCT | # | ļ | |
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